

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, Development Enterprise has been named the successful bidder for the Site Paving and Grading Plans for Roads and Parking Areas and Utilities for Kayenta Unified School District #27 Project, and
- WHEREAS, Development enterprise is required to furnish a performance bond as a condition precedent to the contract, and
- WHEREAS, the White Mountain Apache Development enterprise is a relatively new enterprise, commercial surety or bonding companies are unwilling to provide the necessary bonding unless the White Mountain Apache Tribe agrees to indemnify said companies against possible loss, and
- WHEREAS, in providing the indemnification required of bonding companies if the White Mountain Apache Development enterprise fulfills its obligations under these contracts, the indemnification provided by this resolution will not result in any loss to the White Mountain Apache Tribe, and
- WHEREAS, said indemnification agreement does not constitute a waiver of the sovereign immunity of the White Mountain Apache Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman of the Tribe is hereby authorized to act for and on behalf of the White Mountain Apache Tribe in executing indemnification agreements for the purpose of performance bonds in connection with the award of the Site Paving and Grading Plans for Roads and Parking Areas and Utilities for Kayenta Unified School District #27 Project #0183.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Development Enterprise is authorized to initiate and sign all necessary documents to effectuate the award of this contract.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that said indemnification agreement does not constitute a waiver of the sovereign immunity of the White Mountain Apache Tribe for any purpose.

The foregoing resolution was on July 13, 1983 duly adopted by a vote of 7 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

JUL 15 1983

FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ



Chairman of the Tribal Council



Secretary of the Tribal Council